

REMARKS

Reconsideration and withdrawal of the final rejection of all claims now pending in the application, (i.e., Claims 15-36) are respectfully requested in view of the foregoing amendments and the following remarks.

Initially, Applicant notes with appreciation the Examiner's acknowledgment that Claims 19-21, 24, 25, 30-32, 35 and 36 comprise allowable subject matter and would be allowable if rewritten in independent form and if amended to include all of the limitations of the base claim and any intervening claims, and were also rewritten to overcome the Section 112 rejections of Claims 15-36.

By this Amendment, independent Claims 15 and 26 have been so amended as suggested by the Examiner to resolve the Section 112 rejection thereof. Claims 15 and 26 were also amended to further define the flyscreen, as comprising a track, and to define the reciprocably slidable frame as being within said track, such that said frame is slidingly deployed within said track for back and forth movement across the door/window opening. Support for this Amendment may be found at lines 8-10 on page 5 of the Specification. In addition, the opening panel in the door of Claim 15 and the window of Claim 26 were amended to add the limitation that they are generally horizontally slidable, support for which is shown in the drawings. Applicant respectfully submits that the subject matter of amended independent Claims 15 and

26, and all claims depending therefrom, are believed to be patentable over the prior art.

With regards to the §103 rejection, the Examiner states that Collins, U.S. Patent No. 3,566,950 discloses all features of the presently claimed invention other than the provision of a mating brush on the door/window jamb and that, accordingly, the difference is merely one of a duplication of parts and that it would be obvious to provide a mating brush member upon the door/window jamb to increase the pressure between the members and brushes and thereby increase the ability of the members to block movement of air or insects. Applicant respectfully submits that this assertion is incorrect since Collins relates to a sash window where the screen is adapted to be static when installed, and does not teach or suggest the screen being slideable across the face of the window and the window not having a static pane and a moving pane.

The sash window of Collins have both sash panes being moveable and the screen is not moveable. The screen in Collins is arguably not even a flyscreen since the provision of weatherstrips 116 would imply that it is intended to block movement of air which is not the general purpose of a flyscreen which is generally intended to allow movement of air and also to block the ingress of insects.

Fundamentally, since the screen 20 of Collins is static in use, and not slidingly mounted for movement moving back and forward within a track in front of the opening of the window, the brush does not pass closely over the surface of a static panel of the window. Furthermore, since the screen 20 of Collins is inserted by a tilt and push fit procedure as shown in Figure 5, the provision of a secondary brush in the channel 108 opposing the brush 116 on the bottom rail of the screen 20 would interfere with

the insertion and removal of the screen 20. Thus, Collins and, for this reason, among others, one skilled in the art would not seek to put a secondary brush into the installation of Collins. However, had one done this anyway, it still would not result in Applicant's present invention.

Furthermore, in the installation of the present invention, the second brush that is mounted on the jamb of the door against which the edge of the trailing lateral side of the slideable frame comes to rest when the flyscreen is drawn closed to completely overlie the opening of the door provides a sealing surface against which the first brush on the trailing style of the flyscreen frame comes to rest. It is the dynamic nature of the sliding movement of the flyscreen relative to the frame and the bringing together into abutting engagement of the first and second brush that completes the sealing effect of the flyscreen as it is drawn fully shut in the present invention. This is not accomplished by Collins, where the brush 116 on the bottom rail of the screen 20 is not dynamic during use of the window but is static and simply provides a weatherproof seal against the flange 108 at the bottom of the frame.

Consequently, it is apparent that Collins does not merely duplicate the parts of the present invention but that Collins relates to a fundamentally different installation. Collins does not have the door or window arrangement of the present invention, a static panel and a sliding panel slidably mounted to the door or window. Collins does not have a flyscreen on a reciprocally slideable frame, being slidably deployed across the opening of the door. Furthermore, Collins does not have a first brush on the slideable frame of the flyscreen brushing closely past the surface of the static panel

of a door or window as the frame is moved and Collins also has no second brush mounted on the jamb of the door or window against which the first brush comes to rest when the fly screen is drawn closed. Since the screen of Collins is not a slideable frame it does not have a trailing lateral side on which the first brush is mounted. The frame of Collins' screen 20 does not slide across the opening and does not have a leading and trailing edge. Furthermore, the sash window of Collins does not relate directly or indirectly to a sliding door and the sashes of the sash window of Collins do not slide horizontally.

In contrast to the presently claimed invention, Collins does not have a track in which the screen 20 slides back and forth across the door/window opening. Although Collins has a lock bar 26 that is slidable, it is not coupled to the screen 20, but rather is adapted to prevent lifting of the screen member 20 to prevent its removal from the frame 12. Lifting of the lock bar 26 conversely removes the constraint on the upper end of the screen 20 to enable it to be tilted for removal. In summary, the claimed assembly installation of the present invention is fundamentally different from that disclosed in Collins.

Finally, Applicant hereby requests a one-month extension of time in which to respond to the outstanding Office Action. Credit Card payment form no. PTO-2038 for fifty five dollars (\$55.00) is enclosed . Any fee deficiency or overpayment may be charged or credited to applicant's Deposit Account No. 07-0130.

In view of the foregoing it is respectfully submitted that all claims now pending in the application (i.e., Claims 15-36) are patentably distinguishable over the cited reference. Accordingly, withdrawal of the rejection and allowance of the claims at an early date is earnestly solicited.

Respectfully submitted,

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Enclosures: U.S.P.T.O. Form 2038 in the amount of \$55.00

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